

REMARKS

Claims 39-56 are pending in the present application. Claims 1-38 have been cancelled. Claims 39-56 are newly added. Claims 39, 46 and 52 are independent claims.

Request for Interview

The undersigned is requesting a telephone interview. Please contact Alan Larson at (703) 668-8069 to schedule an interview time.

Claim Rejections – 35 U.S.C. §101

Claims 23-26 and 35-38 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter.

The Applicant notes that claims 23-26 and 35-38 have been cancelled therefore rendering their rejections moot. However, the Applicant makes the following comments regarding new claims 39-56. The Applicant anticipates there will be no issues with the new claims under 35 U.S.C. 101. For example, independent claims 39 and 46 are method claims tied to a particular apparatus – a presentation apparatus. A process (or method) is one of the statutory classes of inventions eligible for patenting specifically identified by 35 U.S.C. 101. Independent claim 52 is an apparatus claim including a controller, a video decoder, a compensator text decoder and a mixer. Claim 52 recites an article of manufacture which is specifically one of the items listed in 35 U.S.C. 101 as statutory subject matter. For at least these reasons, the Applicant does not anticipate any issues with the new claims 39-56 under 35 U.S.C. 101.

Claim Rejections – 35 U.S.C. §112

Claims 5-6, 20, 24-25, 28-29, 32-33 and 36-37 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement.

Claims 5-6, 20, 24-25, 28-29, 32-33, and 36-37 have been cancelled without prejudice, therefore rendering these rejections moot.

The Office Action on page 3 identifies a limitation “the time resolution of the text data is lower than the resolution of the video presentation reference time.” This feature is similar to, although not exact to, limitations set forth in new claims 51 and 56. The Applicant will comment on this language as it may relate to claims 51 and 56. The Applicant respectfully asserts that the specification does provide support for these claims. For example, see paragraph [0040] of the patent application publication. The second half of paragraph [0040] of the printed patent application publication states “Therefore, the STC control 21 may generate the text presentation reference time (TX PRT) by masking some less significant bits of the 32 bit A/B presentation reference time (AV PRT).” If some of the less significant bits are masked in the text presentation reference it would follow that the resolution of the text presentation reference time would be lower than the resolution of the video presentation time. For at least these reasons, the Applicant respectfully asserts and does not anticipate any problems with new claims 39-56 under 35 U.S.C. 112.

Claim Rejections – 35 U.S.C. §102

Claims 1, 7, 21-23, 26-27, 30-31, 34-35 and 38 are rejected under 35 U.S.C. §102(e) as being anticipated by Ikeda et al. (U.S. Patent Publication No. 2006/0098936 A1).

The above mentioned claims have been cancelled without prejudice therefore rendering their rejections moot. The Applicant notes that the newly added independent

claims recite, among other things, “adding an offset value to the video presentation reference time.” The Applicant respectfully asserts that Ikeda does not teach or suggest a method or apparatus including the above quoted language. While Ikeda describes offsets, for example in paragraphs [0161] through [0165] and [0369], Ikeda does not teach or suggest adding offset value into the video packet as recited in the claims. Further, Ikeda does not describe adding the offset value to relate to the text presentation reference time as recited in the claims. Therefore, the Applicant respectfully asserts that Ikeda does not teach or suggest all of the limitations set forth in new claims 39-56.

Claim Rejections – 35 U.S.C. §103

Claims 4-6, 20, 24-25, 28-29, 32-33 and 36-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ikeda et al. (U.S. Patent Publication No. 2006/0098936 A1), as applied to claim 1 above and further in view of Jung et al. (U.S. Patent Publication No. 2004/0081434 A1).

These claims have been cancelled without prejudice, rendering these rejections moot.

<Remainder of Page Intentionally Left Blank>

CONCLUSION


Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 39-56 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. §1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By:  *Reg. No.*
53,184
Terry L. Clark, Reg. No. 32,644
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

TLC/PXL:eaf